

#4 (CH)

IRELL & MANELLA LLP

1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
General Facsimile No.: (310) 203-7199
Telephone No.: (310) 277-1010 Ext. 8200

This communication may contain confidential or privileged information and may constitute inside information. It is intended only for the addressee. Any distribution, reading, copying, or use of this communication by anyone other than the addressee is strictly prohibited and may be unlawful. If you received this in error, please notify us immediately by telephone, and return the original communication to us at the above address by mail. You will be reimbursed for your reasonable expenses. Thank you.

Date: Monday, June 17, 2002 7:12:46 PM

VIA FACSIMILE

Facsimile No.: 789 3210

To: Kenneth L Sherman, Esq.

Company: SHERMAN & SHERMAN

From: Rachele Wittwer

No. of Pages: 02

(including cover page)

Re: Metabyte Networks, Inc.

U.S. Patent Application No. 09/963,335 Filed 9/24/01

Dear Mr. Sherman:

Please find attached a copy of a Notice of Incomplete Reply that we have recently received from the USPTO.

Best regards,
Rachele Wittwer
Patent Docket



METALITE
UNITED STATES PATENT AND TRADEMARK OFFICE

155785-0149

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/963,335 | 09/24/2001 | Kenneth A. Klarfeld | MET1.0023 |

IRELL & MANELLA LLP
Suite 900
1800 Avenue of the Stars
Los Angeles, CA 90067

CONFIRMATION NO. 2141

FORMALITIES LETTER



0000000008239148

Date Mailed: 06/08/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/09/2002 to the Notice to File Missing Parts (Notice) mailed 11/01/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

*A copy of this notice **MUST** be returned with the reply.*

K. Lee

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

Received in the United States Patent Office, kindly date stamp
and return this card.

Date: May 1, 2002

Applicant: Klarfeld

Title: SYSTEM AND METHOD FOR ~~PERSONALIZED~~ TV

Our Ref. No.: MET1.0023

1. Request for Extension of Time (in duplicate);
2. Response to Notice of Missing Parts Dated November 1, 2002
(in duplicate); w/copy of Notice
3. Combined Declaration and Power of Attorney;
4. Forty-two (42) sheets of drawings;
5. Check in the amount of \$785.00;
6. Certification of First Class Mailing.



Received in the United States Patent Office, kindly date stamp
and return this card.

Date: May 1, 2002

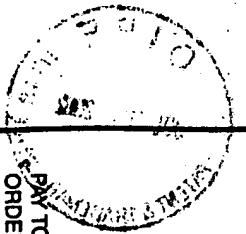
Applicant: Klarfeld

Title: SYSTEM AND METHOD FOR PERSONALIZED TV

Our Ref. No.: MET1.0023

1. Request for Extension of Time (in duplicate);
2. Response to Notice of Missing Parts Dated November 1, 2002 (in duplicate); w/copy of Notice
3. Combined Declaration and Power of Attorney;
4. Forty-two (42) sheets of drawings;
5. Check in the amount of \$785.00;
6. Certification of First Class Mailing.

FILE COPY



SHERMAN & SHERMAN
OPERATING ACCOUNT
 2029 CENTURY PARK EAST 17TH FLOOR
 LOS ANGELES, CA 90067

USBANK
 LOS ANGELES, CA 90087
 90-35821222 4849

05/01/2002

7448

PAY TO THE ORDER OF Hon. Com. of Patents & Trademark

Seven Hundred Eighty-Five and 00/100*****

\$**785.00

DOLLARS

Hon. Com. of Patents & Trademark
 Washington, D.C. 20231

MEMO 625017/MET1.0023

⑈007448⑈ ⑆12223582⑆153490980866⑈

AUTHORIZED SIGNATURE

SHERMAN & SHERMAN/OPERATING ACCOUNT

Hon. Com. of Patents & Trademark

6250 · CLIENT COSTS:6250-1 · Filing Fees
 6250 · CLIENT COSTS:6250-1 · Filing Fees

625017\MET1.00023\Ext. Fees
 625017\MET1.0023\Late Dec.

05/01/2002

7448

720.00
 65.00

US Bank Operating Acct 625017/MET1.0023

785.00

Security Features Included



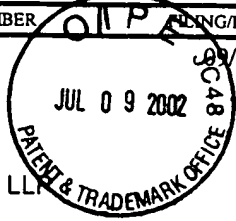
Details on Back.

METABYTE
UNITED STATES PATENT AND TRADEMARK OFFICE

155785-0149

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| | | | | | | | |
|--------------------|------------|--------------------|------------|-----------------------|---------------------|------------------------|--|
| APPLICATION NUMBER | 09/963,335 | FILED/RECEIPT DATE | 09/24/2001 | FIRST NAMED APPLICANT | Kenneth A. Klarfeld | ATTORNEY DOCKET NUMBER | |
|--------------------|------------|--------------------|------------|-----------------------|---------------------|------------------------|--|

IRELL & MANELLA LLP
Suite 900
1800 Avenue of the Stars
Los Angeles, CA 90067

CONFIRMATION NO. 2141

FORMALITIES LETTER



OC00000007010612

RESPONSE DUE: 01-01-02

Date Mailed: 11/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

A copy of this notice **MUST** be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY